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#16
12/10/03
A.W.

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dr. Al J. Mooney

Serial No.: 9/492398

Filed: January 27, 2000

**For: Method of Supplying and Dispensing
Prescribed Medical Supplies Through a Web
Site Associated with a Medical Care Provider**

Attorney's Docket No: 4333-003

MS Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Patent Pending

Examiner: Samuel G. Rimell

Group Art Unit: 2166

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DEC 02 2003

Raleigh, North Carolina
November 4, 2003

GROUP 3600

TC 2600

Dear Sir:

In response to the official office action of October 28, 2003, Applicant elects Group I claims, claims 50-67. This election is made with traverse.

The Examiner has asserted that the claims are directed to distinct species and has taken the position that claims 50-67 are addressed by one species and that claims 68-71 are directed to another species. With all due respect, counsel for Applicant does not understand the logic or rationale in finding two different species in this case. The entire case is directed to one invention and one species.

Counsel for Applicant is aware of the request to elect a single disclosed species. Apparently the Examiner maintains that claims 50-67 are directed to a single species. Therefore, to comply with this restriction requirement Applicant has elected this alleged species and Group I claims, claims 50-67. For purposes of responding to this restriction requirement, counsel for Applicant acknowledges the position of the Examiner.

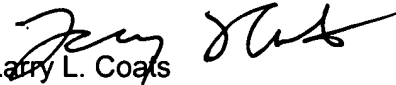
It is believed that Applicant has complied with the restriction requirement. If for any reason the Patent Office determines that Applicant has not fully complied with the restriction

requirement, then the Examiner is requested to telephone the undersigned and an expeditious effort will be made to comply.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.

By:


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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS DOCUMENT IS BEING DEPOSITED WITH THE UNITED STATE POSTAL SERVICE, ON THE DATE INDICATED, AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: **MS NON-FEE AMENDMENT, COMMISSIONER FOR PATENTS**
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Name: Kathy L. Stehle

Date: 11/18/03 _____